



U.S. ENVIRONMENTAL PROTECTION AGENCY

REGION X

1200 SIXTH AVENUE  
SEATTLE, WASHINGTON 98101  
MAY 06 1985

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REPLY TO  
ATTN OF: M/S 524

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Randall W. Hardy, Superintendent  
Seattle City Light  
1015 - 3rd Avenue  
Seattle, Washington 98101

Dear Mr. Hardy:

This is in response to your letter of April 19, 1985, requesting answers to two questions concerning PCB disposal alternatives for the Lake Union Steam Plant.

Regarding the possibility of deviation from the 10% fuel blending requirement for high efficiency boilers (40 C.F.R. 761.60(a)(3)(iii)(A)(4)), this is a matter which we previously posed some months ago to EPA headquarters staff. The response we received was that the requirement was fixed and there was no specific provision for waiving it. This information was passed on to your staff at that time. The approach portrayed in your letter of applying to EPA under the "alternative methods" category to obtain a waiver raises a new issue which we are exploring with our headquarters office. You will receive a formal answer in about 1 week.

Regarding the matter of a high efficiency boiler in an ocean freighter, this is definitely subject to the Ocean Incineration Regulation which was published in proposed form in the Federal Register on February 28, 1985. We understand that the regulation will not become final until late this calendar year, and that any application submitted after the final rule is promulgated would be unlikely to proceed through the review and approval process until spring 1986. Even that date is optimistic if final rule promulgation is delayed. In addition, the Toxic Substances Control Act (TSCA) PCB Regulation places restrictions on PCBs being entered into commerce or exported; it appears that an application for exemption from these restrictions would need to be made to the EPA Administrator in Washington, D.C., if you were to pursue an option for disposal outside the U.S. Finally, of course, the ocean-going high efficiency boiler would still need to satisfy the operating conditions specified in the PCB regulation. Because the ocean incineration approach is subject to all these considerations--some of which are beyond the purview of this regional office--it is not possible at this time to provide a more detailed timeline. We want to re-emphasize that one of the most important criteria in your assessment of options should be timing for disposal. Should at-sea incineration prove the solution of mutual choice, we would certainly work with you to facilitate the process.

Sincerely,

Anita J. Frankel

Anita J. Frankel, Chief  
Pesticides and Toxic Substances Branch

cc Dept

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